

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

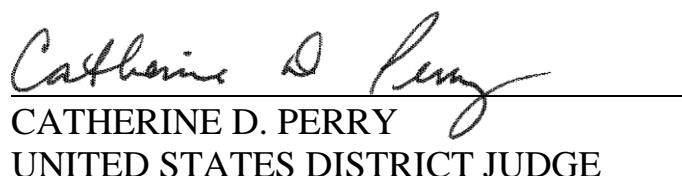
HAMMER & STEEL, INC., )  
                                )  
Plaintiff,                 )  
                                )  
vs.                         )                      Case No. 4:18 CV 1240 CDP  
                                )  
SKY MATERIALS CORP.,     )  
                                )  
Defendant.                 )

**MEMORANDUM AND ORDER**

After careful consideration,

**IT IS HEREBY ORDERED** that plaintiff's motion to compel [33] is granted only as follows: defendant shall produce Michael Cholowsky for deposition at a reasonable time to be agreed upon by the parties. In all other respects, the motion is denied.

**IT IS FURTHER ORDERED** that by January 18, 2019, the parties shall file a joint status report advising the Court of the time and date of Mr. Cholowsky's deposition. If the deposition has not been scheduled by that date, the Court will select a date for the deposition.

  
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CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 4th day of January, 2019.